

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) Criminal No. 03-30047-MAP
)
 v.)
)
 MELVIN RICHARDSON,)
 Defendant.)

GOVERNMENT'S MOTION IN LIMINE TO IMPEACH THE DEFENDANT WITH PRIOR
CONVICTIONS PURSUANT TO FED. R. EVID. 609

The United States of America, by and through its undersigned attorney, hereby submits the following Motion *in Limine* to allow the Government to impeach the Defendant pursuant to Fed. R. Evid. 609. The Defendant stands indicted for three counts of possession with intent to distribute and distribution of a controlled substance in violation of Title 21, United States Code, Section 841; and one count of being a felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g). The government seeks to impeach the defendant, if he testifies at trial, with the following felony convictions:

1. Assault with a dangerous weapon (knife), date of conviction 10/27/03;
2. Larceny of a motor vehicle, conviction date, 3/19/01;
3. Possession of counterfeit narcotics, date of conviction 12/1/99;
4. Carrying a dangerous weapon (knife), date of conviction 3/19/01;

5. Assault and battery, conviction date 11/14/00;
6. Possession to distribute counterfeit narcotics, date of conviction 12/1/99;
7. True name violation, date of conviction 12/1/99,
8. Larceny (of an amount greater than \$250), date of conviction 8/21/96;
9. Assault with a dangerous weapon, conviction date 6/4/96;
10. Larceny from a building (six counts), conviction date, 6/4/96; and
11. Larceny (of an amount greater than \$250), date of conviction 8/21/96.

Such impeachment is admissible pursuant to Fed. R. Evid. 609(a) because as set forth in Rule 609(b) the conviction are less than 10 years old and the probative value of the evidence outweighs its prejudicial effect to the defendant.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Paul Hart Smyth

By:

Paul Hart Smyth
Assistant U.S. Attorney